

# MINUTES

## *DANE COUNTY CITIES AND VILLAGES ASSOCIATION*

**December 16, 2009**

### **ATTENDANCE**

Belleville -	President Terry Kringle
Black Earth -	
Blue Mounds -	
Brooklyn -	
Cambridge -	Clerk Lisa Moen
Cottage Grove -	President Mike Willkomm
Cross Plains -	
Dane -	
Deerfield-	
DeForest -	President Jeff Miller, Acting Administrator Steve Fahlgren
Edgerton -	
Fitchburg -	Mayor Jay Allen, Administrator Tony Roach
Madison -	
Maple Bluff -	
Marshall -	President Marlin Hensler
Mazomanie -	
McFarland -	President Mike Harried, Administrator Don Peterson
Middleton -	Mayor Kurt Sonnentag
Monona -	Mayor Robb Kahl, Administrator Patrick Marsh, Police Chief Wally Ostrenga
Mount Horeb -	President Don Steinhauer, Administrator Larry Bierke
Oregon -	Administrator Mike Gracz
Rockdale -	
Shorewood Hills -	
Stoughton -	Mayor Jim Griffin
Sun Prairie -	Mayor Joe Chase, Administrator Pat Cannon
Verona -	Mayor Jon Hochkammer
Waunakee -	President John Laubmeier
Others Present -	Forbes McIntosh, Government Policy Solutions

- 1. Call to Order.** The meeting was called to order at 5:35 p.m. at the MAC Sports Center, 411 Prairie Heights Drive, Verona.
- 2. Approval of Minutes.** The Minutes of the meeting of October 14, 2009 were approved as presented.

3. **Action on proposed DCCVA budget for 2010.** The proposed DCCVA budget for 2010, which was discussed at several previous meetings, was presented for final consideration and action. On motion by Miller, seconded by Steinhauer, the proposed 2010 budget for the Association was approved. (see attached).
4. **Action on appointment of DCCVA representative to CARPC.** The seat up for appointment, which is one of three representatives appointed by the DCCVA to serve rotating three year terms, was that of Kurt Sonnentag which expired in May 2009. Sonnentag has continued to serve in that capacity until the new appointment is made, a process that became quite protracted because of a former provision on the DCCVA By-Laws that required at least twice the number of applicants for each appointment being considered. The By-Laws were amended in October and that requirement was eliminated. Despite a new appeal for applicants, Sonnentag was still the only person to have applied. On motion by Miller, seconded by Laubmeier, Sonnentag was re-appointed to a three year term as a DCCVA representative on CARPC.
5. **Process for making the DCCVA appointment to the board of the Dane County Regional Transit Authority.** Hochkammer explained that the Dane County Board authorized in November the creation of the Dane County Regional Transit Authority. Under the State enabling legislation, the DCCVA has one appointment to the new RTA board which is expected to begin meeting by mid January. That representative must come from one of the eight small cities and villages that are within the MPO area but that do not have their own direct appointees as do Madison, Fitchburg, Middleton, and Sun Prairie. Those eight communities include the cities of Monona, Stoughton, and Verona and the villages of Cottage Grove, McFarland, Maple Bluff, Shorewood Hills, and Waunakee. The representative will serve a two year term and future appointments must rotate though each of the eight communities before the rotation begins anew. The issues identified by the Executive Board were how to structure the initial appointment process and accomplish it in a timely manner, how to determine the future rotation, and the question of what communities should be eligible to vote on the appointment (just the eight communities or all DCCVA members).

Hochkammer relayed to the membership the recommendation of the Executive Board that, for the initial appointment, applications should be solicited from the qualified persons in all eight communities. The Nominating Committee would then review the applicants and nominate a slate of the best qualified candidates from which the eligible communities would select the first DCCVA representative. A lively discussion followed in which a number of good points and questions were raised. Several speakers pointed out how critical it is, because of the importance of the start-up process, to have a very highly qualified person and a strong personality as the first DCCVA appointee and to make the appointment as soon as possible so no meetings of the new RTA board are missed. Some questioned whether we should just randomly select a community from among the eight and allow them to choose the first appointee, or to randomly select two or three communities to provide nominees from whom the initial appointment would be made. Others felt that this approach would dilute the authority of the DCCVA. Questions were raised about the appropriateness of involving the Nominating Committee

as one member is not from an eligible community, and those who are from an eligible community might be perceived as having a conflict of interest in considering nominees from their city or village.

On motion by Griffin, seconded by Chase and carried, the members approved a process for the initial appointment that would set a deadline by which each of the eight communities would have an opportunity to nominate a candidate. These nominees would then be interviewed by the Executive Board which will recommend the best qualified candidates to be voted on by the eight eligible communities. The By-Laws would be modified at the next meeting to reflect this process. It was then decided that the vote will be conducted at the next DCCVA meeting which will be held on January 13<sup>th</sup> in Stoughton.

6. **Update on Shoreland Zoning and Riparian Management Proposal.** McIntosh summarized the input received at the two public hearings held by the sub-committee of the Dane County Lakes and Watershed Commission which has been working on the proposal. Thanks in part to the efforts of the Realtors Association, both meetings were very well attended and the overwhelming majority of speakers were opposed to the proposals. It was pointed out that the property owners in the Village of Belleville - and many other communities - would be broadly impacted by the proposed changes and that Belleville prefers the approaches to water quality improvement suggested in a State plan that is being circulated rather than those developed by Dane County. It is expected that the draft County plan and policy will be finalized this year but it is unclear what will happen with the plan after that. McIntosh suggested that the DCCVA form a work group to review the final report from Dane County to the DNR and then develop a formal position based on the evaluation of that work group.
  
7. **Overview of other county and state legislative issues.** Miller discussed the implications of the DNR's decision upholding the denial by CARPC of the request by the Village of Mazomanie to expand its urban service area (USA). After the DNR decision on Mazomanie's appeal was issued, we learned of the existence of a letter to the DNR that was written jointly by Dane County, the Dane County Towns Association (DCTA) and an organization named CRANES. This letter is of great concern to the DCCVA because it indirectly threatened to pull funding and to disband CARPC if the DNR had overturned the decision. While it is uncertain what influence the letter may have had on the DNR's decision, it apparently had considerable impact. Since the DNR has never clearly defined the scope and authority that CARPC has in making its "water quality" decisions, Miller felt strongly that such a definition is needed from the DNR as soon as possible as a majority of the current CARPC commissioners have already demonstrated their willingness to expand their scope and authority over USA decisions beyond strict water quality issues. CARPC has also implemented a new, mandatory 30-day waiting period prior to acting on any future USA amendment requests, and the DCTA is pushing for a new requirement that there be an Intergovernment Agreement between the petitioning City or Village and the affected Town before a USA amendment could be approved.

8. **Determine dates, times of 2010 meetings.** It was decided that the next meeting will be held January 13<sup>th</sup> and be hosted by Stoughton. The schedule and location of subsequent meetings in 2010 will be determined at this meeting.
  
9. **Update on and discussion of DaneCom Interoperable Radio Communications Project.** This presentation and the discussion that followed were held in the format of a joint meeting of the DCCVA and the DCTA. John Dejung, Director of Public Safety Communications, began with a PowerPoint presentation on the proposed “DaneCom” system. This presentation highlighted key points from the history of the system development process, described the technical elements and coverage of the system, pinpointed what the system would achieve in meeting the needs and requirements of users, identified the desired deployment timeframe, and explained the new cost sharing arrangements as dictated by the County Executive. Randy Pickering, Fitchburg Fire Chief, next evaluated the proposed radio system from the viewpoint of the public safety agencies (police, fire, EMS) that would use it. He expressed whole-hearted support for the design and capabilities of the new communications system and reported that virtually all outstanding technical issues that were a concern to the users have been resolved to their satisfaction in the past two weeks.

At the end of the discussion, it seemed clear that there is near unanimous support at the local level among both the end users and governing officials for the interoperable approach, technical capabilities, and functionality of the new communications system. It also was clear, however, that there is widespread dissatisfaction with and lack of support for the governance and cost sharing elements of the system as currently structured. Hochkammer asked and received approval from DCCVA members for the Executive Board to negotiate with the County Executive over potential changes in governance structure and funding of operating and maintenance costs that would be more acceptable to the member communities. A report back to the members will be given at the meeting on January 13<sup>th</sup>. Members were encouraged to hold off on returning their Letters of Intent regarding participation in the new radio system until the Association takes a formal position.

10. **Adjournment.** The meeting was adjourned at 9:11 p.m.

Respectfully Submitted,

Don Peterson, Secretary